

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on Thursday, April 21, 2022

CALL TO ORDER: Mayor Williams called the Riverside, Ohio City Council Meeting to order at 6:00 p.m. at the Riverside Administrative Offices located at 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

ROLL CALL: Council attendance was as follows: Mr. Denning, present; Mrs. Franklin, present; Ms. Fry, present; Mr. Joseph, present; Ms. Lommatzsch, present; Mr. Maxfield, absent; and Mayor Williams, present.

Staff present was as follows: Josh Rauch, City Manager; Tom Garrett, Finance Director; Angela Jackson, Police Major; Dan Stitzel, Fire Chief; Kathy Bartlett, Public Service Director; Nia Holt, Zoning Administrator; Jim Miller, Associate Law Director; and Katie Lewallen, Clerk of Council.

EXCUSE ABSENT MEMBERS: Deputy Mayor Denning moved, seconded by Mr. Joseph, to excuse Mr. Maxfield. All were in favor. **Motion carried.**

Mayor Williams asked council members to speak directly into the microphone for the record.

ADDITIONS OR CORRECTIONS TO AGENDA: There were no additions/corrections.

APPROVAL OF AGENDA: Ms. Lommatzsch moved, seconded by Deputy Mayor Denning, to approve the agenda. All were in favor. **Motion carried.**

PLEDGE OF ALLEGIANCE: Mayor Williams led the pledge of allegiance.

PROCLAMATION – AUTISM ACCEPTANCE MONTH: Mayor Williams presented a proclamation recognizing April as National Autism Acceptance Month to Paul Schlotman from the Autism Society of Dayton. Mr. Schlotman accepted the proclamation on behalf of himself as an adult with autism and all the citizens of Riverside the hundreds that have autism and the millions in Ohio. He thanked council for the recognition.

MINUTES: Mr. Joseph moved, seconded by Deputy Mayor Denning, to approve the minutes of the April 7, 2022 council meeting. All were in favor. **Motion carried.**

FINANCIAL REPORT: Deputy Mayor Denning moved, seconded by Mrs. Franklin, to approve the March 2022 financial report. All were in favor. **Motion carried.**

WRITTEN CITIZEN PETITIONS: Mayor Williams stated any citizen wishing to speak should fill out a petition found at the back of the room and turn it in to the clerk.

DEPARTMENT UPDATES:

A) Police Department – Major Jackson stated officers were currently going through training. They are into their Tier 4 policy review with Lexipol. Two officers just went through new training called ‘Surviving the First Three Seconds’, an intense training on how to read body language, clothing, people being in a car and their actions within the first three seconds. One injured officer is on light duty. Officer Alex Whitt just completed field training

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and is now out on his own. Sgt. Vance is currently in Police Leadership Class and has one more week. They are checking into several grants: the BWC Vest Grant that gives a reimbursement on vest purchases, the SRO Grant, and a Decrease Violent Crimes Grant. They are an OVI task force and have been posting officers to check for OVI; they get reimbursed that money, currently that is at \$1,326. They have also applied for a STEP grant for speed reduction and have received \$1,300 for March. They worked a blitz today on SR-35 and Route 4 for speeders. They are working on an active shooter training for May. She added that the owner of Bleachers, Mr. Todd Smith, was arrested for an abduction and aggravated burglary charge and is on home arrest.

B) Fire Department – Chief Stitzel stated there were two working structure fires this week and thanked mutual partners: Dayton, Huber Heights, Wright-Patt, Kettering, and Beavercreek for their help. They are doing rapid intervention training to rescue downed fire fighters inside of a structure fire. The joint training is between Riverside, Huber Heights, Vandalia, and Butler Township. They concluded the lieutenant's process and promoted fire fighter Jason Evans. He has been with the city full-time for five years. There is an offer for a battalion chief externally; as soon it is taken care of they will make the announcement and arrange a swearing-in ceremony by the end of May. They have a full-time fire fighter vacancy and are working to fill that. All of their engines are back and working and thanked Butler Township for allowing them to borrow one while they were down. He added that the Community Paramedic Paula Balcom is doing an outstanding job; she has provided 22 vaccines and boosters to residents at Mad River Manor. She is developing partnerships with outside agencies that they may be able to collaborate with for services for the under insured.

C) Public Services Department – Ms. Bartlett stated that today was the bid opening for the Harshman Wall repairs and they received zero bids. The consultants called the bigger bidders, but they found there is a labor shortage. A few of the consultants stated the timing of the bidding was off for them so they may consider rebidding in a month or so. She attended an OPWC meeting where the criteria for grants they get from them was discussed. There will be a change in the criteria that is not going to be favorable to Riverside, but they will still get something. There are plans to submit for three grants: Spinning Road Phase 1 (Linden to Eastman), Spinning Road Phase 2 (Eastman to Burkhardt), and the Urban Paving Program (all state routes within the city). She stated they may begin mowing as early as tomorrow. Mr. Rauch stated while it is disappointing they didn't get any bids on the concrete project, he is hearing it from other communities as well these type of difficulties with infrastructure projects. He feels they will have better luck rebidding.

D) City Manager Report – Mr. Rauch stated next month they will see a PUD zoning amendment and he thanked Ms. Holt for the hard work she has done getting that processed. There will also be an amendment to the Source Water Protection Program that changes the boundaries to protect the water they drink. He stated an offer was made for the financial administrator position and that person will begin in May.

Ms. Lommatzsch asked if there was a steering committee meeting for the land use plan. Mr. Rauch stated they did have a meeting last night but had to cut it a bit short. He will get with

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MKSK to add another meeting into the cycle and keep her in the loop. He believes there are one or two more meetings. She asked how many attended. He stated four or five attended. Mayor Williams thanked Ms. Holt on the thorough work she did on the PUD.

PUBLIC COMMENT ON AGENDA ITEMS: Mayor Williams stated forms have been turned in for those wanting to speak on agenda items. Speakers should state their name and address and keep their comments to three minutes.

Mr. Roy Owens, 4618 Northern Circle, stated this is his third meeting on the rezoning. They have talked about it, asked questions, and sent information in; he is disappointed that nobody from city council has reached out except the city manager. He stated the mayor ran under the pretense of being different and find better ways for taxes and what not. He had a conversation with him and he was glad to get fresh blood on council, but, nothing has changed. No one is listening to the citizens. They have submitted petitions, expressed concerns about the environment and public safety, but no one has listened. He is asking for help and for someone to listen to him. He wants to know that his well water will be safe. They need to be concerned about the safety. Mr. Oakes stated he doesn't use fertilizer on the properties, but the homeowners might, and it could affect them. He feels they are being penalized. He stated they aren't being listened to and no one seems to care as no one from council has reached out to their neighborhood. They don't know what is going on. They don't have city water or city sewer but feel they will be forced to suffer the consequences of any poor planning or missteps. He understands that the police and fire departments are under funded and that problem hasn't been looked at yet. He compared what was happening to buying a car before it has even had a test drive. He stated he was there to talk to them to help them make the city a better place and he doesn't know that that is the path they are on.

Mr. Dale Wilsdon, 4586 Northern Circle, stated that they have submitted pictures and petitions, and no one has explained why they voted on this. There may be only 30 homes there, but it is their community. He stated they already have flooding issues there. He stated he appreciates the city manager and Ms. Holt coming out, but no one on council has not told them why they are doing this. He stated they gave them a petition and doesn't know if they looked at it, but the concerns are the same. The traffic will be devastating. Northern Circle will be trapped from that development. He stated city council represents them and they want council's input to work together and find a solution. No one is responding to anyone.

Mr. Lance Oakes, 8534 Yankee Street, stated the points stated are very good. He will work with staff to get things finalized and bring plans if they are successful on the rezoning. He cannot guarantee he can solve their problems they are running into with drainage and things running downstream or into their neighborhood, but he guarantees he will make it better. All the water on the 76 acres flows down to that stream. They are going to have multiple detention basins on site that will capture and trap the water releasing out at a slower rate. It may not solve the flooding issues, but it will make it better. On the traffic study, they are working with staff and are in the process of a traffic report. They will meet whatever improvements are required out of that report. He stated there shouldn't be any traffic added today or five to ten years from now to Northern Circle. There will be no access to the plat off the circle other than emergency vehicles. The traffic to Northern Circle should be

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minimum. He agrees with them that more cars will come out of the plat, but it is a drop in the bucket in terms of what is going on Needmore Road today. He does plan to make it better with roadway improvements. Traffic coming in out of Dayton is negligible and he knows that no one wants to hear that. He wants to work with the residents and will meet with them and talk with them. He wants to help alleviate touchpoints and concerns as much as possible.

OLD BUSINESS

A. ORDINANCES

- I) Ordinance No. 22-O-792 – An ordinance by the council of the City of Riverside, Ohio approving a change in the district boundaries as shown on the zoning map of the City of Riverside, Ohio for the property located at 4555 Northern Circle, Parcel ID N. I39 00802 0033 from R-1 Low-Density Single-Family Residential District to R-3, Medium-Density Residential District. (2nd reading, public hearing, adoption)**

Deputy Mayor Denning moved, seconded by Mrs. Franklin, to approve the second reading of Ordinance No. 22-O-792. The clerk read the ordinance by title only.

Mayor Williams opened the public hearing at 6:31 pm. No one wished to speak. Mayor Williams closed the public hearing at 6:32 pm.

Mr. Joseph stated he wanted to make sure he understood everything correctly. Discussion was held on the Dayton section formerly being an industrial zoned area. He clarified on the Riverside section they are moving from an R-1 with lot size of 100 feet to an R-3 with a lot size of 60 feet. He then asked if the next step is a site plan that they would vote on. Ms. Holt stated that the planning commission approves the site plan. There is a public comment at the planning commission, which is a public process. All they are doing at the moment is shrinking the lots. Ms. Holt confirmed that was correct. Deputy Mayor Denning stated it has been R-1 for years. He added that if Mr. Oakes can't come up with a solution that all parties like, the land could sit there for years as an R-3. He stated now is not the time for them to look at the water runoff and traffic issues; all they are doing is shrinking the lot sizes. Ms. Holt confirmed that was correct.

Mayor Williams stated that they are not reviewing a site plan because one does not exist. They are also not speculating on a site plan and what it says. This is private property that is owned by an individual that has a right to develop a property the same way any other residential lot can be developed within the codified ordinances of the city. It is an equal protection argument; the 14th amendment. He cannot tell a person behind his house not to put up a shed because he doesn't want to look at it. He can put up bushes. They are entitled to anything any other residential lot has within the city. He has a high level of confidence and trust from the zoning administrator who is AICP certified. This isn't a park they are turning over to develop; it is private property. He can't tell one person that he can have something on his property, but they can't have it on theirs because he doesn't like it. It has

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to be something that can be equally applied across the city. The seven of them have to make decisions for 25,000 residents.

Ms. Lommatzsch stated if they don't have confidence in the staff that represents the body then they have the wrong staff. They have to be confident in what they decide is best in their professional etiquette. For them to individually reach out to people to try and fix things is not their job; it's staff's job. Mayor Williams stated this is why Josh and Nia went to the site. Staff kept council aware of every time they interacted with residents on the application. The role of the city manager is to manage day-to-day operations and bring good recommendations. The decision they face is not one they take lightly, and they are not turning their back to any part of the city.

Note: Jesse Maxfield arrived at 6:39 pm.

Ms. Fry stated that many citizens of the community are young adults moving out of their parents looking for a place to live. A lot of large single-family homes are out of the price range. Decreasing the lot size does serve the community by making homes more affordable.

Mrs. Franklin stated she agreed with most of the comments stated by council already. It is private property and they could build homes there right now. She is aware of the concerns with flooding, but with new infrastructure going in and diverting some of the water where it is going now will benefit the neighborhood. There will also be access to water with fire hydrants. Depending on where water lines are laid they may opt to tap into the water. She believes as they improve infrastructure it helps to improve older community infrastructure.

Mr. Joseph stated that going on Zillow.com he sees there are no houses or hardly any in Riverside. They have aging housing stock. This is a target site to develop housing stock. This will drive residents to the city. The way to begin to fix where they are is to add residents. As they get more people to live in the city they can support more businesses. Residents will drive more businesses and more businesses will drive more income tax to fix the roads, hire police and fire. This is piece of what they need to move the city forward. There is an interested party that wants to put housing in the city and that is a big need.

**Mr. Roy Owens spoke from the back of the room where audio was not picked up.*

Roll call went as follows: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Fry, yes; Mr. Joseph, yes; Lommatzsch, yes; Mr. Maxfield, no; and Mayor Williams, yes. **Motion carried.**

NEW BUSINESS

A. ORDINANCES

- I) **Ordinance No. 22-O-793 – An ordinance providing for the adoption of post-issuance compliance policies and procedures for tax exempt obligations and continuing disclosure obligations. (1st reading)**

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Deputy Mayor Denning moved, seconded by Mrs. Franklin, to approve the first reading of Ordinance No. 22-O-793. The clerk read the ordinance by title only.

Roll call went as follows: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Lommatzsch, yes; Ms. Fry, yes; Mr. Joseph, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

B. RESOLUTIONS

I) Resolution No. 22-R-2760 – A resolution with ODOT for Spinning Road Phase 2 improvements.

Mr. Rauch stated this legislation is an LPA agreement with ODOT for Spinning Road and explains what grants are being awarded for the project and needs to be in place to proceed with the project.

Deputy Mayor Denning moved, seconded by Ms. Lommatzsch, to approve Resolution No. 22-R-2760. All were in favor. **Motion carried.**

II) Resolution No. 22-R-2761 – A resolution amending Resolution No. 21-R-2667 for the purchase of one 2022 Freightliner Truck Chassis through Stoops Freightliner purchased through the Ohio Cooperative Bid Program and (1) Henderson Single Axle Build package be purchased through Henderson Truck and Equipment for use by the service department.

Mr. Rauch stated this resolution is housekeeping as this is related to the inflationary pressures everyone is experiencing. It was in production while steel and other costs rose. The resolution increases the original amount by \$23,000 that will be amortized with the loan.

Deputy Mayor Denning moved, seconded by Mrs. Franklin, to approve Resolution No. 22-R-2761. All were in favor. **Motion carried.**

III) Resolution No. 22-R-2762 – A resolution by the Council of the City of Riverside, Ohio authorizing the city manager to enter into a contract for the purchase of Code Red Emergency Notification Services.

Mr. Rauch stated that Code Red is an opt in system for people to receive a call or text for any emergency message from the city. They plan to use it with fire, police, and public service. The cost is \$30,000 for five years and will use ARP funds to pay for it.

Deputy Mayor Denning moved, seconded by Ms. Lommatzsch, to approve Resolution No. 22-R-2762. All were in favor. **Motion carried.**

Ms. Lommatzsch stated they have been trying to get something like this for awhile and is glad to see it come to fruition.

Mrs. Franklin ask how people will be notified to sign up Chief Stitzel stated they will have a marketing blitz. Home phones are automatically in the system, but people will sign up if

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they want it on their cell phone or an email. Deputy Mayor Denning stated they walked away from this in the past over concern of phone numbers being public records that anyone can request. Mr. Rauch stated the city doesn't have phone numbers, Code Red does; therefore, the city does not have the record. Mr. Joseph asked who would be sending messages. Chief Stitzel stated only a few will have access and it will be limited on the message sharing. Discussion continued on the uses of Code Red and messages that can be shared.

IV) Resolution No. 22-R-2763 – A resolution by the Council of the City of Riverside, Ohio authorizing the city manager to enter into a lease renewal agreement with Goodrich Corporation/Collins Aerospace.

Mr. Rauch stated this resolution is a lease renewal with Goodrich Corporation/Collins Aerospace; it extends it for another year term with option for another year.

Deputy Mayor Denning moved, seconded by Mrs. Franklin, to approve Resolution No. 22-R-2763. All were in favor. **Motion carried.**

V) Resolution No. 22-R-2764 – A resolution authorizing the city manager to enter into a contract for the purchase of in-car and body worn cameras for use by the police department.

Mr. Rauch stated this allows them to use a no match grant they received from the state for \$38,000 for body cameras. They can replace the body and in-car cameras all at once. This package will get them in the cloud and do more modern data back-up. They will use the grant with remaining funds coming from money budgeted to buy radios, but they used funds from last year to buy radios already. They will just buy cameras instead of radios.

Deputy Mayor Denning moved, seconded by Mr. Maxfield, to approve Resolution No. 22-R-2764. All were in favor. **Motion carried.**

VI) Resolution No. 22-R-2765 – A resolution authorizing the city manager to enter into a contract for the purchase of financial software from Software Solutions, Inc.

Mr. Rauch recommends moving forward with Software Solutions, Inc. for the financial software package for the city. He feels they are the best and most competitive and responsive better to the proposal.

Ms. Lommatzsch moved, seconded by Deputy Mayor Denning, to approve Resolution No. 22-R-2765. Six were in favor. Mr. Joseph abstained. **Motion carried.**

PUBLIC COMMENT ON NON-AGENDA ITEMS: No one was present for comment.

COUNCIL MEMBER COMMENTS: Deputy Mayor Denning thanked the fire department where they were at multiple Easter egg hunts. The hunt at Beverly Gardens has been going on 42 years and they were there.

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Ms. Fry thanked the mayor for the proclamation declaring National Autism Acceptance Month and thanked Mr. Schlotman for coming to receive it. It is near and dear to her.

Deputy Mayor Denning stated there is a shred it event at 1213 Old Harshman this Saturday. Residents and businesses of Riverside can come. If not a resident, a donation is requested for Christmas programs. It is sponsored by the Jaycees, Domescik Realty, and the Chamber.

Mayor Williams stated he forgot to thank the police department at the last meeting for coming to Carroll High School to come and do an active shooter simulation. It is a scary topic most parents don't want to think about, but they need to be prepared for. He thanked the police chief and staff for doing that. He announced that the Burkhardt Library opens on Monday. It is in Dayton but serves the Riverside community. He is excited it will serve the community and has a community room and places for people to stop by. He recalled his childhood and the kids he met as a child when he would go to the Burkhardt Library after school. He has many great memories with his older brother there.

Mr. Joseph stated that they have a really good team in the city. The reports were lengthy, and it is visible how much work is going on in the city on a daily basis. He thanked staff for all they do. He stated it will get nice out this weekend and to look out for people on motorcycles/bikes. He added that if you are mowing not to push it out into the street. He wants everyone to be safe and not have an accident. He stated there are also open spots on boards and commissions, especially, the budget committee.

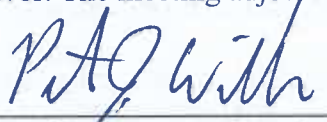
Mrs. Franklin stated she attended the land use steering committee meeting and really enjoyed it. She wants residents to know they still want input from them. There is a survey on the website and try to be a part of the process to move the city forward. The more ideas they receive will help them to know where the community wants to go.


Mr. Maxfield congratulated the three new alumni inducted to the Stebbins Alumnus. They were selected last night. He stated that this weekend is prom for Stebbins so students out driving be careful and safe and smart. Make it a fun and happy event.

EXECUTIVE SESSION: Ms. Lommatzsch moved, seconded by Deputy Mayor Denning, to go into executive session for personnel matters. Roll call went as follows: Ms. Lommatzsch, yes; Mr. Denning, yes; Mrs. Franklin, yes; Ms. Fry, yes; Mr. Joseph, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.** Council went into executive session at 7:08 pm.

RECONVENE: Council reconvened at 7:36 pm.

ADJOURNMENT: Mr. Joseph moved, seconded by Mr. Maxfield, to adjourn. All were in favor. The meeting adjourned at 7:37 pm.


Peter J. Williams, Mayor


Clerk of Council